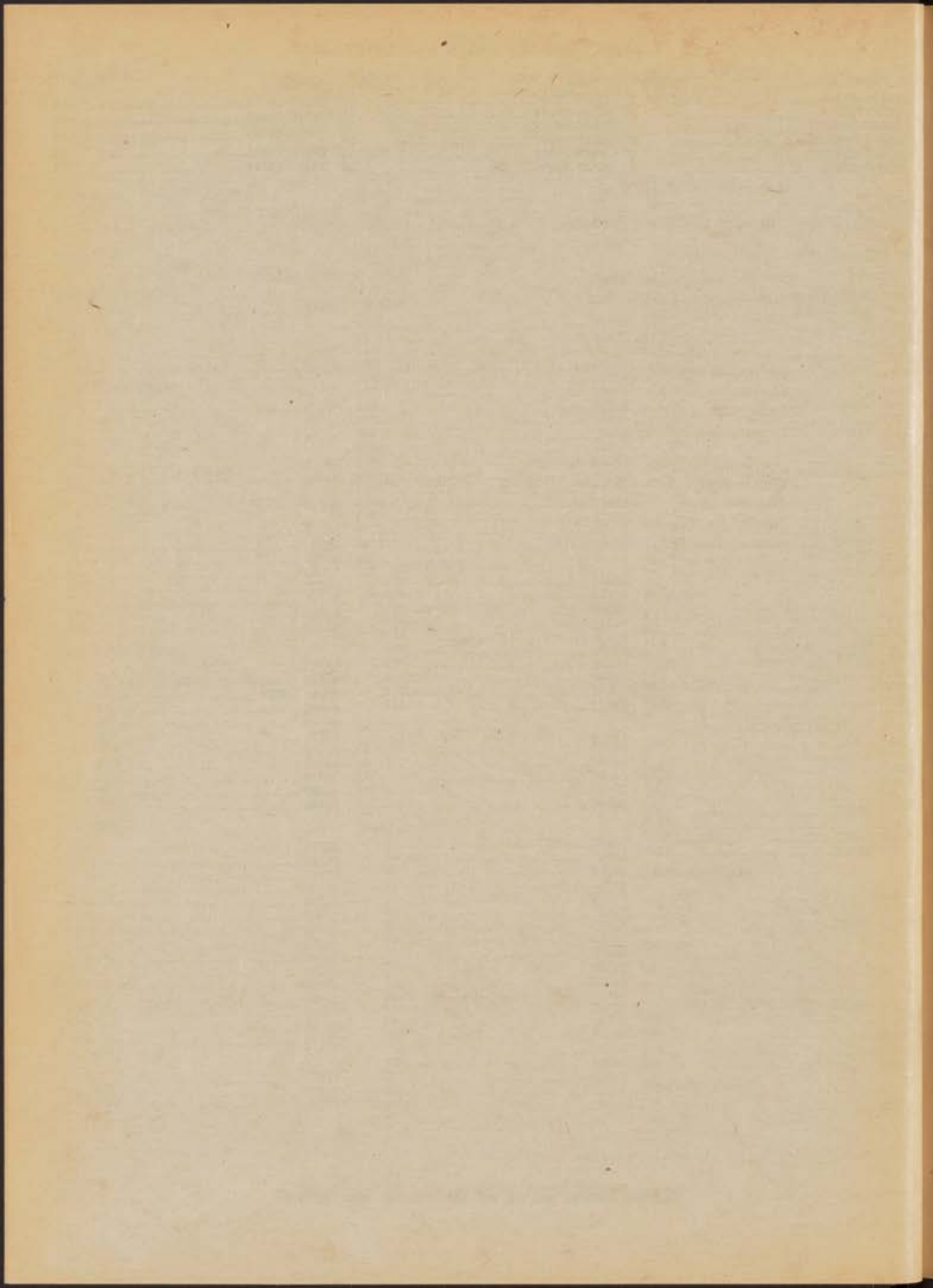


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# presidential documents

## Title 3—The President

Executive Order 11866

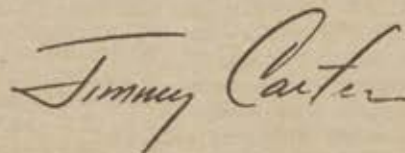
May 20, 1977

### Relating to Certain Positions in Levels IV and V of the Executive Schedule

By virtue of the authority vested in me by Section 5317 of Title 5 of the United States Code, and as President of the United States of America, it is hereby ordered as follows:

SECTION 1. Section 1 of Executive Order No. 11861, as amended, placing certain positions in level IV of the Executive Schedule, is further amended by deleting "(6) Director of Telecommunications and Command Control Systems, Department of Defense." and "(7) Principal Deputy Director of Defense Research and Engineering, Department of Defense."

SEC. 2. Section 2 of Executive Order No. 11861, as amended, placing certain positions in level V of the Executive Schedule, is further amended by adding thereto "(1) Principal Deputy Assistant Secretary for Communications, Command, Control and Intelligence, Department of Defense." and "(9) Director of Policy Review, Department of Defense."



THE WHITE HOUSE,  
May 20, 1977.

[FR Doc.77-14944 Filed 5-20-77;5:08 pm]





# rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

## Title 5—Administrative Personnel CHAPTER I—CIVIL SERVICE COMMISSION PART 213—EXCEPTED SERVICE

### Community Services Administration

AGENCY: Civil Service Commission.

ACTION: Final rule.

**SUMMARY:** This amendment revokes the Schedule B authority for seven positions of Regional Director because it is practicable to competitively examine for these positions.

**EFFECTIVE DATE:** May 24, 1977.

**FOR FURTHER INFORMATION CONTACT:**

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3273(a) is amended to read as follows:

§ 213.3273 Community Services Administration.

(a) [Revoked]

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954-1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,

JAMES C. SPRY,  
Executive Assistant  
to the Commissioners.

[FR Doc. 77-14633 Filed 5-23-77; 8:45 am]

## PART 213—EXCEPTED SERVICE

### Civil Service Commission

AGENCY: Civil Service Commission.

ACTION: Final rule.

**SUMMARY:** This section is amended to show that the following positions are excepted under Schedule C because they are confidential in nature: two Special Assistants and one Administrative Assistant to the Chairman; one Policy Advisor and one Administrative Assistant to the Vice Chairman; and one Policy Advisor and one Administrative Assistant to the Commissioner.

**EFFECTIVE DATE:** May 24, 1977.

**FOR FURTHER INFORMATION CONTACT:**

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3370 is added as set out below:

§ 213.3370 Civil Service Commission.

(a) Two Special Assistants and one Administrative Assistant to the Chairman.

(b) One Policy Advisor and one Administrative Assistant to the Vice Chairman.

(c) One Policy Advisor and one Administrative Assistant to the Commissioner.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,

JAMES C. SPRY,  
Executive Assistant  
to the Commissioners.

[FR Doc. 77-14887 Filed 5-23-77; 8:45 am]

## PART 213—EXCEPTED SERVICE

### Department of State

AGENCY: Civil Service Commission.

ACTION: Final rule.

**SUMMARY:** This addition excepts from the competitive service under Schedule C one position of Staff Assistant to the Ambassador at Large and Special Representative of the President for the Law of the Sea Conference because of the confidential nature of the position.

**EFFECTIVE DATE:** May 24, 1977.

**FOR FURTHER INFORMATION CONTACT:**

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3304(a) (27) is added as set out below:

§ 213.3304 Department of State.

(a) Office of the Secretary. \* \* \*

(27) One Staff Assistant to the Ambassador at Large and Special Representative of the President for the Law of the Sea Conference.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954-1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,

JAMES C. SPRY,  
Executive Assistant  
to the Commissioners.

[FR Doc. 77-14886 Filed 5-23-77; 8:45 am]

## Title 7—Agriculture

## CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

[Amtd. No. 111]

## PART 271—PARTICIPATION OF STATE AGENCIES AND ELIGIBLE HOUSEHOLDS

### Food Stamp Program

AGENCY: Food and Nutrition Service.

ACTION: Final rulemaking.

**SUMMARY:** This rule deletes the requirement that State agencies submit monthly reports of the number of households whose benefits were reduced or terminated because they either accepted or refused to accept suitable employment. These reports duplicate information that is already available, for the most part, through the Department of Labor's ESARS system.

**EFFECTIVE DATE:** October 1, 1977.

**FOR FURTHER INFORMATION CONTACT:**

Alberta Frost, Chief, State Agency Operations Branch, Food Stamp Division, 500 12th Street SW., Washington, D.C. 20250 (202-447-8360).

**SUPPLEMENTARY INFORMATION:** Section 271.3(d)(8) of the Food Stamp Program Regulations requires that State agencies submit monthly reports of the number of households whose benefits were reduced or terminated because they either accepted employment or refused to accept suitable employment. The purpose of the reports is to measure the effectiveness of the work registration requirements. These reports, however, duplicate information that is already available, for the most part, through the Department of Labor's ESARS system. To avoid this duplication, States will no longer be required to submit Form FNS-285, Report of Reduction/Termination of Food Stamp Benefits, to FNS each month.

Since elimination of this reporting burden will benefit State agencies and will have no adverse effect on food stamp applicants, the Department has decided that it is unnecessary and contrary to the public interest to give notice of proposed rulemaking. Accordingly, in § 271.3, paragraph (d)(8) is deleted as follows:

§ 271.3 Household eligibility.

(d) Work registration requirement.

(8) [Deleted]

(78 Stat. 703, as amended (7 U.S.C. 2011-2026).)

**NOTE:**—The Food and Nutrition Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821 and OMB Circular A-107.



(Catalog of Federal Domestic Assistance Programs No. 10.551, Food Stamps.)

Dated: May 17, 1977.

CAROL TUCKER FOREMAN,  
Assistant Secretary.

[FR Doc. 77-14687 Filed 5-23-77; 8:45 am]

**CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE**

[Lemon Reg. 92, Amdt. 1]

**PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA**

**Limitation of Handling**

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Amendment to final rule.

SUMMARY: This amendment increases the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period May 15-21, 1977. The amendment recognizes that demand for lemons has improved, since the regulation was issued. This action will increase the supply of lemons available to consumers.

DATES: Weekly regulation period May 15-21, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250; (202) 447-3545.

**SUPPLEMENTARY INFORMATION:**

(a) Findings. (1) Pursuant to the amended marketing agreement and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of recommendations and information submitted by the Lemon Administrative Committee, established under the marketing agreement and order, and other available information, it is found that the limitation of handling of lemons, as provided in this amendment will tend to effectuate the declared policy of the act.

(2) Demand in the lemon markets has improved since the regulation was issued. Amendment of the regulation is necessary to permit lemon handlers to ship a larger quantity of lemons to market to supply the increased demand. The amendment will increase the quantity permitted to be shipped by 25,000 cartons, in the interest of producers and consumers.

(3) It is further found that it is impracticable and is contrary to the public interest to give preliminary notice, engage in public rulemaking procedures, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553), because the time intervening be-

tween the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of lemons.

(b) Order, as amended. Paragraph (b) (1) of § 910.392 Lemon Regulation 92 (42 FR 24716) is amended to read as follows: "The quantity of lemons grown in California and Arizona which may be handled during the period May 15, 1977, through May 21, 1977, is established at 320,000 cartons."

(Secs. 1-19, 48 Stat. 31, as amended; (7 U.S.C. 601-674).)

Dated: May 18, 1977.

CHARLES R. BRADER,  
Deputy Director, Fruit and  
Vegetable Division, Agricultural  
Marketing Service.

[FR Doc. 77-14680 Filed 5-23-77; 8:45 am]

**PART 953—IRISH POTATOES GROWN IN THE SOUTHEASTERN STATES**

**Handling Regulation**

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation requires fresh market shipments of potatoes grown in designated counties of Virginia and North Carolina to be inspected and meet minimum quality and size requirements. The regulation should promote orderly marketing of such potatoes by keeping less desirable qualities and sizes from being shipped to consumers.

EFFECTIVE DATE: June 5, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, Washington, D.C. 20250, Telephone 202-447-3545.

**SUPPLEMENTARY INFORMATION:** Marketing Agreement No. 104 and Order No. 953, both as amended (7 CFR Part 953), regulate the handling of potatoes grown in designated counties of Virginia and North Carolina. It is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The Southeastern Potato Committee, established under the order, is responsible for its local administration.

Notice of rulemaking was published in the April 25, 1977, FEDERAL REGISTER (42 FR 21111). The notice afforded interested persons through May 13, 1977, to file written data, views or arguments pertaining to that proposal. None was filed.

This regulation is based upon recommendations made by the committee at its public meeting in Norfolk, Virginia, on April 7, 1977.

The grade and size requirements recommended herein are the same as those which have been issued during past sea-

sons. They are necessary to prevent potatoes of poor quality or undesirable sizes from being distributed to fresh market outlets. The specific proposals, hereinafter set forth, will benefit consumers and producers by standardizing and improving the quality of the potatoes shipped from the production area.

Exceptions are provided to certain of these requirements to recognize special situations in which such requirements would be inappropriate or unreasonable.

Shipments may be made to certain special purpose outlets without regard to the grade, size, and inspection requirements, provided that safeguards are met to prevent such potatoes from reaching unauthorized outlets. Shipments for use as livestock feed are so exempted because requirements for this outlet differ greatly from those for fresh market. Since no purpose would be served by regulating potatoes used for charity purposes, such shipments also are exempt. Also, potatoes for most processing uses are exempt under the legislative authority for this part.

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice, it is hereby found and determined that the handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act by setting the minimum standards of quality and the grading and inspection requirements which the Secretary has found should be maintained for orderly marketing.

It is hereby further found that good cause exists for not postponing the effective date of this section until 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of potatoes grown in the production area will begin on or about the effective date specified herein, (2) to maximize benefits to producers, this regulation should apply to as many shipments as possible during the marketing season, and (3) compliance with this regulation, which is similar to that in effect during previous marketing seasons, will not require any special preparation on the part of persons subject thereto which cannot be completed by June 5, 1977.

The regulation is as follows:

**§ 953.317 Handling regulation.**

During the period June 5 through July 31, 1977, no person shall ship any lot of potatoes produced in the production area unless such potatoes meet the requirements of paragraphs (a) and (b) of this section or unless such potatoes are handled in accordance with paragraphs (c) and (d) of this section.

(a) Minimum grade and size requirements. All varieties U.S. No. 2, or better grade, 1½ inches minimum diameter.

(b) Inspection. Except as provided in paragraphs (c) and (e) of this section, no handler shall ship any potatoes unless an appropriate inspection certificate has been issued covering them by the Federal-State Inspection Service and the certificate is valid at the time of shipment.